

Serial No. 10/659,186
Applicant: Kenneth W. Gatten
Amendment dated December 3, 2004
Attorney Docket No.: 1-730
Confirmation No. 7490

Remarks

Objection to Claim 15

Claim 15 is objected to because of an informality. Claim 15 is canceled herein, rendering the objection moot.

Rejection of Claims 1, 2, 4, 7-16, and 18-20 under 35 U.S.C. 102(b)

Claims 1, 2, 4, 7-10, 13-16, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Sarkozi '295.

Claims 1, 2, 4, 9, 11, 15, 15, 16, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Shang '455.

Claims 1, 2, 7, 12-15, and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin '714.

Claims 1, 2, 4, 7-16, and 18-20 are canceled herein, rendering the rejections moot.

Newly Added Claims 21-26

This amendment adds new independent claim 21 and new dependent claims 22-26.

Applicant respectfully submits that independent claim 21 is allowable over the art of record.

Claim 21 is drawn to a structure to form a cooling mattress for supporting and cooling a sunbather while sunbathing. The structure includes a plurality of pads and a plurality of fasteners, the fasteners adapted for interconnecting the pads to

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one another to form the mattress. Each pad includes a liner defining a cavity and a cooling medium deposited within the cavity. The pad includes first and second surfaces and first and second ends. The first and second surfaces are on opposite sides of the pads and the first and second ends are spaced by the length of the pad. The length of the pad is substantially greater than the thickness of the pad.

The pads are arranged facing one another to form a stack of pads, with sides of the pads in the interior of the stack whereby the height of the stack is defined by the thickness of the pads. The height of the stack is less than the length of the mattress formed by the pads whereby the pad stack provides a compact structure for storage, chilling and transport of the pads.

No reference teaches the stacked configuration of pads for a cooling mattress as claimed in Claim 21 or suggests the benefit of stacked pads as conceived and described by the applicant.

Accordingly, allowance of claim 21 is respectfully requested. As claims 22-26 depend from allowable claim 21, allowance of claims 22-26 are also respectfully requested.

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Conclusion

Applicant respectfully submits that, as amended, the application is in condition for allowance.

Respectfully submitted,

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By



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